

1 Adopt 2 Cal. Code Regs. Section 18440 to read:

2 **§ 18440. Telephone Advocacy.**

3 For the purposes of Government Code Section 84310:

4 (a) A telephone call requires a disclosure statement if a candidate, committee, or
5 slate mailer organization “expends campaign funds” to pay for the call as follows:

6 (1) A candidate or committee makes an expenditure for the call reportable under
7 Government Code, Title 9, Chapter 4 (Sections 84100, et seq.) or a person makes a
8 payment for the call at the behest of the candidate or committee and that payment is a
9 contribution to the candidate or committee under Government Code Section 82015.

10 (2) A slate mailer organization pays for the call after receiving a payment to make
11 the call that qualifies as an expenditure of campaign funds by a candidate or committee
12 under subdivision (a)(1) of this regulation.

13 (b) A required disclosure statement shall identify at least one candidate,
14 committee, or slate mailer organization “paying for” the call or at least one candidate or
15 committee “authorizing” the call.

16 (c) For purposes of subdivision (b) of this regulation:

17 (1) A candidate, committee, or slate mailer organization “pays for” a call when it
18 pays directly for the call or pays another person to make the call on its behalf.

19 (2) A candidate or committee “authorizes” a call if a person pays for the call at
20 the behest of the candidate or committee and that payment is a contribution to the
21 candidate or committee under Government Code Section 82015.

22 (d) Each candidate, committee, and slate mailer organization paying for and each
23 candidate and committee authorizing a call requiring a disclosure statement shall

- 1 maintain a record of the script of the call, and a copy of the recording of any recorded
- 2 messages, for a period of time as set forth in 2 Cal. Code Regs. Section 18401(b).
- 3 NOTE: Authority: Sections 83112, Government Code. Reference: Section 84310,
- 4 Government Code